



February 10, 2021

VIA ECF AND E-MAIL

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Honorable Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: Barker v. The Bancorp - 21-CV-869 (KPF)
Kamai v. The Bancorp - 21-CV-896 (KPF)
McGlynn v. The Bancorp - 21-CV-897 (KPF)

Dear Judge Failla:

We represent the Defendant in the three above-referenced related cases assigned to Your Honor. All three cases were removed last week from state court (Supreme Court, New York County). We respectfully write with the consent of Plaintiffs' counsel for the Court's approval of the parties' agreement to extend Defendant's time to respond to the complaints in these cases to February 26, 2021.

In accordance with Your Honor's Individual Rules:

- The February 26th response date was the initial date agreed upon between the parties when we agreed to waive service of process in the state court actions (copies of those waivers for each case were attached as exhibits to the removal papers filed with this Court).
- This is the first request of this type by Defendant.
- The reason for the request is to obtain Your Honor's approval of the February 26th response date previously agreed-upon between the parties when we agreed to waive service of process in the state court actions.
- Plaintiffs' counsel consented to and agreed upon the February 26th response date when we agreed to waive service of process in the state court actions.
- There are no other scheduled dates that would be affected by this request.

Accordingly, we respectfully request that the Court approve the parties' agreement that Defendant's time to respond to the complaints in these cases be extended to February 26, 2021.

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Thank you very much for your attention to this matter.

Very truly yours,

COZEN O'CONNOR



BY: MICHAEL C. SCHMIDT

cc: Plaintiffs' Counsel of Record (via e-mail)

Application GRANTED. Defendant is directed to transmit a copy of this Order to Plaintiffs by any means the parties have previously used to communicate.

Dated: February 10, 2021
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE